

Message Text

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ORIGIN ARA-10

INFO OCT-01 ISO-00 L-02 DODE-00 PM-03 SP-02 CIAE-00 INR-07

NSAE-00 EB-07 TRSE-00 OMB-01 COME-00 AID-05 ACDA-05

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DRAFTED BY ARA/CEN:DHCLARE

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PM/SAS:RSMITH

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R 041423Z APR 75

FM SECSTATE WASHDC

TO AMEMBASSY GUATEMALA

C O N F I D E N T I A L STATE 076299

E.O. 11652: GDS

TAGS: MASS, GT

SUBJECT: SALE OF FMS-ORIGIN T-33'S

REF: GUATEMALA 1582

1. DEPARTMENT, IN CONJUNCTION WITH DOD, UNDERTOOK THOROUGH REVIEW OF GUATEMALAN REQUEST FOR USG CONSENT TO SALE OF TWO T-33 AIRCRAFT TO MR. SANTIAGO PEREZ. IT HAS BEEN DETERMINED THAT USG IS NOT AUTOMATICALLY PRECLUDED BY LAW FROM CONSENTING TO TRANSACTIONS OF THIS TYPE.

2. IN TURNING TO MERITS OF THIS PARTICULAR TRANSACTION, HOWEVER, NATIONAL AGENCY NAME CHECK DISCLOSED THAT IN PAST PEREZ ALLEGEDLY DISCUSSED INTENTION ACQUIRE MILITARY TYPE AIRCRAFT WITH VIEW TOWARD USING THEM IN PLOT TO ASSASSINATE OR OVERTHROW FIDEL CASTRO. COMPLEX ARRANGEMENTS MADE TO FINANCE PURCHASE OF PLANES INTRODUCED DOUBTS TO IDENTITIES OF TRUE PURCHASERS. AT LEAST ONE PERSON ORIGINALLY INVOLVED
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IN DEAL TOLD US HE BACKED OUT BECAUSE IT BECAME QUOTE CAN OF

WORMS UNQUOTE. ALSO, WE HAVE CONFLICTING REPORTS ON PEREZ' INTENTIONS REGARDING DISPOSAL OF AIRCRAFT. ON ONE HAND, PEREZ HAS INSISTED THAT HE PLANS RETURN BOTH AIRCRAFT TO U.S. ON THE OTHER, WE HAVE REPORT FROM ONE OF HIS ASSOCIATES THAT HE HAS ALREADY ARRANGED TO SELL ONE PLANE TO UNKNOWN PURCHASER IN GUATEMALA ON QUOTE AS IS, WHERE IS UNQUOTE BASIS.

3. SINCE WE KNOW OF NO WAY IN WHICH DOUBTS CREATED BY FOREGOING FACTORS COULD BE SUFFICIENTLY EASED, WE HAVE DECIDED THAT USG CANNOT CONCUR IN PROPOSED SALE TO MR. PEREZ.

4. DEPARTMENT RESPONDING TO GUATEMALAN EMBASSY NOTE REQUESTING USG CONSENT TO SALE BY STATING THAT USG HAS GIVEN CAREFUL CONSIDERATION TO REQUEST BUT THAT REGRETFULLY CANNOT CONCUR IN TRANSFER OF T-33'S TO MR. PEREZ. A SIMILAR LETTER HAS BEEN SENT BY DOD IN REPLY TO REQUEST SUBMITTED BY GUATEMALAN DEFENSE ATTACHE.

5. YOU MAY WISH TO ADVISE GOG OF USG DETERMINATIONS IN PARAS 1 AND 3.

6. DEPARTMENT IS CONFIDENT THAT GOG ALREADY HAS BEEN REMINDED OF POSSIBLE LEGAL CONSEQUENCES OF TRANSFER OF FMS MATERIEL WITHOUT OBTAINING PRIOR USG CONSENT. DEPARTMENT PREFERS THAT EMBASSY IN DISCUSSING MATTER WITH GOG AVOID CONVEYING IMPRESSION THAT WE ARE WITHHOLDING CONSENT BECAUSE OF WAY GOG HAD HANDLED CASE. NEVERTHELESS, DEPARTMENT AND DOD WILL ADDRESS LEGAL RAMIFICATIONS UNDER FMSA, INCLUDING CONTINUED ELIGIBILITY, AFTER ALL SALIENT FACTS BECOME AVAILABLE. INGERSOLL

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Draft Date: 04 APR 1975
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TAGS: MASS, GT, US, (PEREZ, SANTIAGO)
To: GUATEMALA
Type: TE
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